



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation on August 11, 2004

**NOTICE OF ACTION TAKEN -- DOCKET OST-2004-18860**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **NORTHWEST AIRLINES, INC.**, filed **8/6/04** for:

**XX** Exemption authority, for two years, under 49 U.S.C. §40109 to provide the following service:

Scheduled foreign air transportation of persons, property, and mail between the terminal point Minneapolis/St. Paul, Minnesota, and the terminal point Mazatlan, Mexico.<sup>1</sup>

Applicant rep: **Megan Rae Rosia (202) 842-3193** DOT Analyst: **Linda L. Lundell (202) 366-2336**

**DISPOSITION**

**XX** Granted, subject to conditions (see below).

The action above was effective when taken: **August 11, 2004** through **August 11, 2006**.

**Action taken by:** **Paul L. Gretch, Director**  
**Office of International Aviation**

**XX** Authority granted is consistent with the aviation agreement between the United States and Mexico.

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

**XX** Holder's certificates of public convenience and necessity

**XX** Standard Exemption Conditions (attached)

**Special Conditions:** The U.S.-Mexico exemption authority granted is subject to the dormancy notice requirements set forth in condition 7 of Appendix A of Order 88-10-2. Consistent with our policy, the dormancy notice period will begin on January 8, 2005, Northwest's proposed startup date for these services.

**Remarks:** We acted on this application without awaiting expiration of the 15-day answer period with the consent of all parties served with the application.

On the basis of data officially noticeable under Rule 24(g) of the Department's regulations, we found the applicant qualified to provide the services authorized.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975.

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<sup>1</sup> Under the U.S.-Mexico aviation agreement, up to a total of two U.S. air carriers may be designated to serve a given city-pair market. At the time this application was filed, two U.S. air carriers were already designated to provide direct-carrier services in the Minneapolis/St. Paul-Mazatlan market (MN Airlines, LLC d/b/a Sun Country Airlines and Grand Holdings, Inc., d/b/a Champion Air). On **August 10, 2004**, Champion Air advised the Department that its authority in the market is dormant. Thus, we will withdraw the designation of Champion Air to serve the Minneapolis/St. Paul-Mazatlan market and will designate Northwest in its place.

To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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[http://dms.dot.gov/reports\\_aviation.asp](http://dms.dot.gov/reports_aviation.asp)

## **U.S. Carrier Exemption Conditions**

In the conduct of the operations authorized, the U.S. carrier applicant(s) shall:

- (1) Hold at all times effective operating authority from the government of each country served;
- (2) Comply with applicable requirements concerning oversales contained in 14 CFR 250 (for scheduled operations, if authorized);
- (3) Comply with the requirements for reporting data contained in 14 CFR 241;
- (4) Comply with requirements for minimum insurance coverage, and for certifying that coverage to the Department, contained in 14 CFR 205;
- (5) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (6) Comply with all applicable requirements of the Federal Aviation Administration and with all applicable U.S. Government requirements concerning security, including, but not limited to, 49 CFR Part 1544. To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) to or from a foreign airport, contact its International Principal Security Inspector (IPSI) to advise the IPSI of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served; and
- (7) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department of Transportation, with all applicable orders and regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

The authority granted shall be effective only during the period when the holder is in compliance with the conditions imposed above.